

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Eric Edwards, et al.

Application No. 09/632,535

Filed: August 4, 2000

For: **ONLINE STORY COLLABORATION**

Examiner: Peng Ke

Art Unit: 2174

Confirmation No.: 1757

APPEAL BRIEF UNDER 37 C.F.R. §41.37

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Dear Sir or Madam:

Applicants submit the following Appeal Brief pursuant to 37 C.F.R. § 41.37 for consideration by the Board of Patent Appeals and Interferences. The Commissioner is authorized to charge Deposit Account No. 02-2666 in the amount of \$540.00 to cover the cost of filing the opening brief as required by 37 C.F.R. §1.17(f). Please charge any additional amount due or credit any overpayment to Deposit Account No. 02-2666.

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I. REAL PARTY IN INTEREST

Eric Edwards, Clay Harvey Fisher, Kurt Jonach and Neal Jacob Manowitz, inventors of the subject application, assigned their rights to the invention disclosed in the subject application through an Assignment recorded on November 17, 2000 (Reel/Frame 011293/0674) in the patent application to Sony Corporation, of Tokyo, Japan and Sony Electronics, Inc. of Park Ridge, New Jersey. Thus, as the owner at the time the brief is being filed, Sony Corporation and Sony Electronics, Inc. are the real parties in interest.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences that will affect or be affected by the outcome of this appeal.

III. STATUS OF CLAIMS

Claims 1, 3-5, 7-24, 27, 28 and 30 are pending and rejected in the Application. Claims 2, 6, 25, 26, 29 and 31-34 were previously cancelled. Applicants hereby appeal the rejection of pending Claims 1, 3-5, 7-24, 27, 28 and 30.

IV. STATUS OF AMENDMENTS

The claims are amended in accordance with an Amendment and Response to Office Action filed June 5, 2009. The claim amendments presented at that time were entered. Accordingly, the claims stand as amended June 5, 2009.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Claim 1 recites a computerized method for creating a story by multiple collaborators. In Claim 1, the multiple collaborators are on-line users that supply content associated with a fictional story concept. The use of a fictional story concept enables a wide array of on-line users to supply content since the concepts are fictional and can be derived according to any on-line user's imagination. As can be recognized,

the various imaginations of the on-line users are relied on to supply content, for example, as described with reference to Figs. 1 and 2A.

As described by Applicants' specification beginning at page 9, line 12, Fig. 2A illustrates a create concept method that may be executed by a collaborative story server to create a story concept in a story concept area. As recited by Claim 1, a fictional story concept is received, for example, as shown at process block 201 of Fig. 2A. As further recited by Claim 1, the fictional story concept includes an indication of one or more editors that are selected to edit the story. In Claim 1, the originator of the fictional story concept provides the indication of the story editor. As described at page 9, beginning at line 16, the method receives a list of users that the originator designates as editors for the story concept, for example, as shown in block 209. The list may contain one or more specific user attributes or specify that all the collaborators are editors.

As further recited by Claim 1, it is determined whether the fictional story concept includes content that meets a predetermined criteria set by a party separate from the multiple collaborators and deleting the fictional story concept that the concept fails to meet the predetermined criteria. As shown with reference to process block 203 of Fig. 2A, if content is unacceptable, the content is deleted from the server at block 205; otherwise, if the story concept is acceptable, it is posted in the story concept area at block 207. This feature as recited by Claim 1, makes the fictional story concept available for on-line access to enable the multiple collaborators to submit competing story content related to elements in the fictional story concept. We note that this feature of Claim 1, opens the pool of collaborators since any on-line user may use its imagination to provide story content related to the fictional story concept to compete against other on-line users for inclusion in the final story.

Referring now to the specification beginning at page 10, line 7, Fig. 2C illustrates a process for providing a new posted content. As recited by Claim 1, the received competing story content associated with the fictional story concept is accepted from the multiple collaborators if the received competing story content meets the predetermined criteria. This is shown at process block 225 which determines whether the content is

acceptable in the light of standard set by, as an example, a sight administrator. Content that is approved is posted in the working area at process block 209 and the editors for the story content are notified of the new content at block 231.

As shown in Fig. 2C, a process content method 240 executes on the server to receive votes of the editors to determine whether the editors have approved the content for inclusion in the story. As recited by Claim 1, the selected story content from the accepted competing story content is approved for inclusion in the story based on votes received on-line through a wide area network connection from the one or more editors and at least one of the multiple collaborators as shown in Fig. 2C. As recited by Claim 1, the story is created from the selected story content that is approved; accepted competing story content is deleted if the received votes fail to approve the content.

Claim 14 recites a computer-readable storage medium to perform a method, for example, as shown in to Figs. 2A-2D. As recited to Claim 14 and similar to Claim 1, Claim 14 recites receipt of a fictional concept for story and determines whether the fictional concept meets predetermined criteria; a fictional concept that meets the criteria is made available on-line to enable submission of competing story content. We note that the distinguishing feature of Claim 14 is the use of a fictional story concept to open the pool of potential collaborators, which merely need to rely on their imagination to provide competing story content related to elements in the fictional story concept and come from at least two of the multiple collaborators coupled to a server computer. This competing story content is also compared to predetermined criteria for acceptance as further recited by Claim 14.

As described by Applicants' specification, the originator, or one or more collaborators, act as an editor to decide what portion of the accepted content is used in the story. When multiple collaborators act as editors, a periodic vote is taken on the content that exists in the working content area 111. Once the story is finished, the story is posted to a published area where it may be publicly available for other users. Alternatively, the finished story can be private. (See page 5, lines 17-23.)

As recited by Claim 14, votes are received on-line through a wide area network connection from the one or more editors, at least one of the multiple collaborators, and

the originator or the fictional story concept to select between the accepted competing story content. The selected story content is included in the story if the received votes indicate that the content is approved. Otherwise, the accepted competing story content is deleted if the received votes fail to indicate that the competing story content is approved.

Claims 22 and 28 recite computerized systems. Claim 22 is representative. Claim 22 is, for example, shown in Figs. 1A-1C. Fig. 1A illustrates an on-line collaborative story system. As recited by Claim 22, the system may include a processor, a memory, and a computer-readable medium. The system executes an on-line collaborative story process which causes the processor to receive a fictional concept for an on-line story. The fictional story concept includes an indication of one or more editors that are selected to edit the story by an originator of a story concept. The fictional story concept is posted on-line if the concept meets a predetermined criteria set by an administrator and the functional story concept is deleted if the functional story concept fails to meet the predetermined criteria. (Please see page 5, lines 17-23.)

As further recited by Claim 22, the concept defines content for the story to receive content for the story for collaborators which are on-line users that supply competing story content associated with elements in the fictional story concept. Competing story content is accepted if the received competing story content meets predetermined criteria. Once accepted, on-line votes are received from one or more of the editors and at least one of the multiple collaborators to select between the competing story content. The selected competing story content is included in the story if the received votes indicate that the selected story content is approved and is otherwise deleted.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection in this appeal is:

A. Are Claims 1, 3-5, 7-10, 22-24, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,643,663 issued to Dabney et al. ("Dabney") in view of U.S. Patent No. 6,457,045 issued to Hanson et al. ("Hanson"), in

view of U.S. Patent No. 6,052,600 issued to Fette et al. ("Fette"), further in view of U.S. Patent No. 5,867,799 issued to Lang et al. ("Lang"), U.S. Patent 6,088,702 to Plantz et al. ("Plantz"), and U.S. Patent No. 6,437,818 to Ludwig ("Ludwig")?

B. Are Claims 14-18 are rejected under 35 U.S.C. 103(a) unpatentable over Dabney in view of Hanson, further in view of Fette, further in view of Lang, further in view of Ludwig?

C. Are Claims 19-21 rejected under 35 U.S.C. §103(a) unpatentable over Dabney in view of Hanson in view of Fette, further in view of Lang and Plantz, further in view of Ludwig, further in view of U.S. Patent 5,100,154 to Mullins ("Mullins")?

D. Are Claims 11-13, 27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dabney in view of Hanson in view of Fette, further in view of Lang and Plantz, further in view of Ludwig, and further in view of Mullins?

VII. ARGUMENT

A. Overview of the Cited References

1. Overview of the Dabney Reference

Dabney is directed to handling news stories provided by news reporters and/or journalists for publication in a newspaper or other traditional media source; specifically, news story data such as photographs, video, audio, and text are captured and prepared for newspaper, radio, and television by human editors. (See col. 5, lines 63-65.) Assuming, arguendo, that news story data discloses receiving a story concept, as suggested by the Examiner, the news story concept, as evidenced by the new story data, relates to a non-fictional story concepts. Apposite to non-fictional new story data of Dabney, Dabney has no application for the receipt of a fictional story concept. Moreover, such news story data does not include an indication of one or more editors that are selected to edit the story by an originator of the story concept. We submit that the reporters of Dabney do not select the editor for a story and that the news story is related to a non-fictional story concept.

The disclosure of Dabney is expressly limited to news editor approval for completion of a news story and storage of such news story on content servers for newscasts and media distribution. The news story data is available for news media to incorporate the edited news story data into their broadcast and/or publication, distribution, as well as availability for internet news sources. (See col. 6, lines 3-12.) Furthermore, we submit that Dabney fails to disclose or suggest making a fictional story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept, much less accepting received competing story content associated with the story concept from the multiple collaborators if the competing story content meets the predetermined criteria. We submit that the various reporters that cover a story do not compete for which of their content will be selected for the various elements of the story concept; such coverage is generally pre-assigned.

2. Overview of the Hanson Reference

Hanson generally relates to communication networks and more particularly to a system and method for making choices among a group of participants connected to such networks using a dynamic distribution of data. As described by Hanson, implementations of the invention include one or more of the following choices including: a schedule, a poll, a survey, an election, RSVP, task allocation, wish lists, donation confirmation, approval, recruitment vote, group seating selection, game next move selection, sporting event pool, payment authorization, purchase selection, and purchase authorization. Hanson describes an applet that can be used to support making choices such as in a schedule, invitation, or poll among a group of participants connected to a network. (See Abstract.) Participants create an electronic form specifying the subject matter of a choice topic and a list of network addresses corresponding to other chosen participants. We note, however, that the group decision making described by Hanson is not relevant to on-line story collaboration regarding selection between competing story content.

3. Overview of the Fette Reference

Fette relates to a software programmable radio. Fette is directed to removal of unapproved records information based on user approval. We note, however, that such decision is not based on one or more editors and at least one collaborator (i.e., the provider of the content). Approval of records information within a software programmable radio is simply not relevant to on-line story collaboration.

4. Overview of the Lang Reference

Lang teaches a filtering mechanism based on community standards, but such decision is not based on one or more editors and at least one collaborator (i.e., the provider of the content).

5. Overview of the Plantz Reference

Plantz is generally directed to a group publishing system (GPS) where administration of the project assembly process, assignment of projects to authors and editors and overall GPS maintenance by a GPS administrator is facilitated by an administration control center. (See col. 7, lines 6-10.) We submit that neither col. 10, lines 15-20 nor any other portion of Plantz discloses or suggests "receiving the story concept for the story including an indication of one or more editors for the story from an originator of the story concept." Plantz does disclose the ability of a new editor to sign into the system (see col. 2, lines 15-20 of Plantz), however, that is something completely different from receiving of the story concept including an indication of one or more editors for the story from an originator of the story concept.

6. Overview of the Ludwig Reference

Ludwig generally relates to a video collaboration system and method utilizing a control communications link and an unshielded twisted-pair wire network among a plurality of video sources and display devices (see Abstract). According to the Examiner, Ludwig teaches collaborators submitting competing story content related to elements in a story concept and selected story content from the competing story content submitted from each of the multiple collaborators, which according to the

Examiner is disclosed by Ludwig at Col. 36, line 45 to Col. 37, line 30. The passages referred to by the Examiner, however, relate to the sharing of a graphical image between an expert and a field representative. As further described by Ludwig, the expert illustrates his advice by creating and sharing a new graphical image. This image may be annotated by the field representative.

We submit that neither Col. 36, line 45 - Col. 37, line 30, nor any other portion of Ludwig, discloses or suggests making a fictional story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the fictional story concept, much less accepting received competing story content associated with the story concept from the multiple collaborators if the received competing story content meets the predetermined criteria. We submit that the sharing of a graphic image of a client's portfolio holdings as well as the creating of a new graphical image based on expert advice, and annotation of such new graphical image, is something different from making a fictional story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept. Furthermore, any new graphical image that is submitted by the expert is not competing story content but merely overrides anything provided by the field representative, and may be annotated by the field representative (see *supra* Ludwig).

7. Overview of the Mullins Reference

Mullins relates to timed group writing games with random characterizations. Mullins describes a time limited game for a group of player-participants to share in a composition of several short stories and includes the means to achieve such composition. In Mullins, five sets of cards are provided to determine a character profile for each player's main character. A spinner is provided to determine the genre category in which each player is required to compose. At the end of the time limit, story compositions are passed to the player at each player's left and writing continues for another set time limit. The same process is repeated until all participants have contributed to every other participant's story once. Story endings and story titles are

added. Stories are read and awards are given for different categories of compositions such that the player with the most awards is declared the winner. (See Abstract.)

B. Rejection of Claims 1, 3-5, 7-10, 22-24, and 28 Under 35 U.S.C. §103

The Examiner rejected pending Claims 1, 3-5, 7-10, 22-24, and 28 under 35 U.S.C. §103(a) as being unpatentable over Dabney, Hanson, Fette, further in view of Lang, Plantz, and Ludwig.

1. Errors of Law and Fact in the Rejection

For the reasons provided below, the Examiner has failed to establish a *prima facie* case of obviousness in view of the references of record. The Federal Circuit Court of Appeals in In re Rijckaert, 9 F.3d 1531, 28 U.S.P.Q. 2d 1955 (Fed. Cir. 1993) held that:

In rejecting claims under 35 U.S.C. § 103, the examiner bears the initial burden of presenting a *prima facie* case of obviousness. . . . “A *prima facie* case of obviousness is established when the teaching from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art.” . . . If the examiner fails to establish a *prima facie* case, the rejection is improper and will be overturned. 9 F.3d at 1532, 28 U.S.P.Q. 2d at 1956. (Emphasis added.)

Applicants respectfully submit that the combined teachings of Dabney, Hanson, Fette, further in view of Lang, Plantz, and Ludwig would not have suggested the claimed invention to one of ordinary skill in the art, as required to establish a *prima facie* case of obviousness. Id. Hence, a *prima facie* case of obviousness has not been established and the rejection is erroneous and should be overturned. Id.

While the argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from the cited references.

As established by case law:

a reference may be said to teach away when a person of ordinary skill, upon reading the reference, would be discouraged from following the path set out in the reference, or would be lead in the direction divergent from the path that was taken by the applicant." Ricoh Co. Ltd. v. Quanta Computer Inc., 550 F.3d 1325, 1332 (Fed. Cir. 2008) (quoting In re Kahn, 441 F.3d 977, 990 (Fed. Cir. 2006)).

Here, Dabney teaches away from fictional story concepts, much less receiving a fictional story concept that includes an indication of one or more editors that are selected to edit the story by an originator of the fictional story concept, as in Claim 1.

In contrast with Claim 1, Dabney is directed to handling news stories provided by news reporters and/or journalists for publication in a newspaper or other traditional media source; specifically, news story data such as photographs, video, audio, and text are captured and prepared for newspaper, radio, and television by human editors. (See col. 5, lines 63-65.) Assuming, *arguendo*, that news story data discloses receiving a story concept, as suggested by the Examiner, the news story concept, as evidenced by the new story data, relates to a non-fictional story concept. Apposite to non-fictional new story data of Dabney, Claim 1 recites the receipt of a fictional story concept. (See page 7, line 19 to page 8, line 1 for support of the non-fictional story concept.) Moreover, the news story data of Dabney does not include an indication of one or more editors that are selected to edit the story by an originator of the story concept, as in Claim 1. We submit that the reporters of Dabney do not select the editor for a story and that news stories, by definition, relate to a non-fictional current events. The other cited references cannot rectify this deficiency since one of ordinary skill would not be motivated to modify Dabney in a manner explicitly contrary to Dabney's own teachings.

As a result, the Examiner fails to identify any disclosure, teaching, or suggestion regarding the fictional story concept of Claim 1. Rather, according to the Examiner, on-line publishing includes publishing of a fictional story. As further argued by the Examiner, Dabney teaches the fictional story concept of Claim 1 because the system of Dabney is designed for all on-line publishers, which include fictional story publishers. (See Advisory Action mailed December 29, 2009.) While on-line publishing may include publishing of a fictional story, we submit that one skilled in the art, upon reading Dabney would be discouraged from applying the teachings of Dabney to creative

fictional story creation. In contrast with Claim 1, Dabney is expressly limited to real-life news stories (current events) that are based on video footage and eye witness accounts.

We submit that one skilled in the art, upon reading Dabney, would recognize that Dabney is only applicable to the capture of real life events, including news stories, that are based on video footage and eye witness accounts. Video footage, photographs, and eye witness news accounts relate to non-fictional story concepts, apposite to the fictional story concept of Claim 1. In contrast with Dabney, the fictional story concept received in Claim 1 enables a wide array of on-line users to supply content since the concepts are fictional and, therefore, are derived according to any on-line user's imagination. Conversely, we submit that news sources, whether broadcast cable or internet, would rely on a predetermined number of reporters to cover assigned current events. Conversely, the use of fictional story content, as in Claim 1, is directed to creative enterprises where the outcome, actions, or activities of a character or story are initially unknown, but subsequently created based solely on the selected user's imagination. This multiple collaboration provides an additional benefit of increased creativity.

We also note several distinctions between on-line story collaboration creation, as in Claim 1, and the capture of real-life events including news stories that are based on video footage, photographs, and eyewitness accounts. In the context of Dabney, timely coverage of news stories is required for meeting impending deadlines since the value of news is based on the timeliness in which such news is provided to viewers. Any substantial delay in providing news to viewers of news worthy current events render such news worthless, since news outlets compete to be the first one to provide eyewitness video footage and accounts. One skilled in the art recognizes the deadlines inherent in news coverage which provide for timely transmission of such news stories to viewers due to competition with others news outlets. This is in direct contrast to collaborative story creation which inherently involved delay since the actions and outcomes must be determined. Conversely, news events involve actions that are already determined or are soon to take place with the outcomes, actions, and events determined independent of the individual covering such stories.

As a result, we submit that one skilled in the art would be discouraged from applying Dabney to on-line story board collaboration using fictional story concepts, as in Claim 1. Id. As a result, Dabney teaches away from fictional story concepts since one skilled in the art, upon reading Dabney would be discouraged from applying the teachings of Dabney to creative fictional story creation as a result of the substantial distinctions between news story coverage and on-line story board collaboration.

Furthermore, Claim 1 recites “determining selected story content from the accepted competing story content submitted by each of the multiple collaborators that is approved for inclusion in the story based on votes received online through a wide area network connection from the one or more editors and at least one of the multiple collaborators,” as in Claim 1.

We submit that Dabney teaches away from allowing the reporters that capture the news story content, such as the at least on multiple collaborators of Claim 1, to decide whether the story content is accepted for inclusion in the news story. We submit that the express limitation of accepting content for news stories, based solely on editor’s decision, prohibits the Examiner from illustrating that Dabney discloses content approval based on votes received from one or more editors and at least one of the multiple collaborators, as in Claim 1. As established by case law:

If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

Moreover, we submit that Dabney teaches away from making a fictional story concept available for on-line access to enable the multiple collaborators to submit competing story content related to elements in the story concept, as in Claim 1. As noted above, the capture of news story data or real-life events includes inherent deadlines to provide timely presentation of the captured news story data to viewer since news outlets compete to be the first one to cover and present news coverage. In other words, the older news becomes the more likely such news has already been provided to viewers. We submit that opening the receipt of news story within Dabney to on-line

users, as in Claim 1, would prohibit the goal of providing timely presentation of news story data to viewers within the system of Dabney. We submit that the various reporters that cover a story do not compete for which of their content is selected for the various elements of the story concept, as in Claim 1, since such coverage is generally pre-assigned.

Likewise, news story outlets, such as described in Dabney, generally rely on a predetermined set of reporters and assign story coverage to the various reporters. While the various reporters might possibly compete for determining which of their coverage is selected for viewer presentation, any competition is expressly limited to the reporters and not to multiple collaborators which have on-line access to a story concept, as in Claim 1. We submit that a substantial task of having to select between the plurality of news story content regarding the same story would result from opening news stories for on-line access to enable multiple collaborators to submit competing content. Selection of news story coverage would prohibit the timely presentation of news story data which is the goal of any news source, such as that described within Dabney, since news outlets compete to be the first one to provide news coverage.

Moreover, because the same story would be covered by the assigned reporters, the competing story content would be extremely similar since the reporters would be covering the same event. In contrast, the competing story content recited by Claim 1 is based on the collaborator's imagination since the competing story content provided for the elements in the story is being provided by that respective user and specifically, that user's imagination. As a result, we submit that the modification of Dabney suggested by the Examiner would render Dabney unsatisfactory for its intended purpose providing timely news story coverage to viewers due to the competitions between news outlets. As a result, Dabney teaches away from making a fictional story concept available for on-line access to enable multiple collaborators to submit competing story content related to elements in the fictional story concept, as in Claim 1. (*In re Gordon, supra.*)

Hence, Applicants respectfully submit that the proposed modification of Dabney, as suggested by the Examiner, would render Dabney unsatisfactory for its intended purpose of providing timely news coverage that is required to compete with other news

outlets. Therefore, the examiner is prohibited from establishing a suggestion or motivation for modifying Dabney to teach or suggest making the **fictional story concept** available for **online** access to enable the **multiple collaborators** to submit **competing story content related to elements** in the **fictional story concept**, as recited in Claim 1. Id.

As established by case law, one cannot find obviousness through hindsight to construct a claimed invention from elements of the prior art. In re Warner, 379 F.2d 1011, 1016, 154 USPQ 173, 177 (C.C.P.A. 1967).

We submit that the Examiner has simply failed to illustrate that Dabney has application to on-line story board collaboration using fictional story concepts, as in Claim 1. Apposite to Claim 1, Dabney is directed to handling new stories provided by news reporters and/or journalists for publication in a newspaper or other traditional media source; specifically, new story data such as photographs, video, audio and texts are captured and prepared for newspaper, radio, and television by human editors. (See col. 5, lines 63-65.) One skilled in the art would recognize that these new story elements are used to capture non-fictional, current events and drastically differ from the creative aspects provided by, for example, on-line story board collaboration based on fictional story concepts, as in Claim 1. One of ordinary skill would not be motivated to modify Dabney in a manner explicitly contrary to Dabney's own teachings, thereby rendering Dabney unsatisfactory for its intended purpose of providing timely news coverage that is required to compete with other news outlets. Accordingly, Applicants' claimed invention could only be arrived at through inappropriate hindsight.

For each of the above reasons, therefore, Claim 1 and all claims which depend from Claim 1 are patentable over the prior art combination of Dabney, Hanson, Fette, further in view of Lang, Plantz, and Ludwig as well as the references of record. Consequently, Applicants respectfully submit that the combined teachings of Dabney, Hanson, Fette, further in view of Lang, Plantz, and Ludwig would not suggest the claimed invention to one of ordinary skill in the art, as required to establish a *prima facie* case of obviousness. (In re Rijckaert, *supra*.)

2. Specific Limitations Not Described in the Prior Art

Claims 1, 22, and 28 recite analogous claim features. Claim 1 is representative.

Claim 1 recites:

1. A computerized method for **creating a story** by **multiple collaborators** being on-line users supplying content associated with a **fictional story concept** comprising:
 - receiving the **fictional story concept** for the story, the fictional story concept including an **indication** of one or more **editors** that are selected to edit the story by an **originator** of the **fictional story concept**;
 - determining whether the **fictional story concept** includes content that meets a predetermined **criteria set by a party separate** from the **multiple collaborators** and **deleting** the fictional story concept if the concept fails to meet the predetermined criteria;
 - making the **fictional story concept** available for **online** access to enable the **multiple collaborators** to submit **competing story content related to elements** in the **fictional story concept**;
 - accepting the received competing story content associated with the fictional story concept from the multiple collaborators if the received competing story content meets the predetermined criteria;
 - determining **selected story content** from the accepted competing story content submitted from each of the multiple collaborators that is **approved for inclusion** in the story based on **votes received online** through a wide area network connection from the one or more **editors** and at least **one** of the **multiple collaborators**;
 - creating the story from the selected story content that is approved; and
 - deleting the accepted competing story content if the received votes have failed to approve the content.(Emphasis added.)

3. Explanation Why Such Limitations Render the Claims Non-Obvious Over the Prior Art

The Examiner fails to illustrate that the combination or modification of Dabney, Hanson, Fette, further in view of Lang, Plantz, and Ludwig teaches or suggests each of

the recited features of the claimed invention. However, the case law is clear in establishing that “to establish *prima facie* obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art.” In re Royka, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

While the argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from the cited references.

Regarding Claim 1, Claim 1 recites the following claim feature which is neither taught nor suggested by the prior art:

...receiving the **fictional story concept** for the story,
the fictional story concept including an **indication** of one or
more **editors** that are **selected to edit** the story by an
originator of the **fictional story concept**...

According to the Examiner, the above-recited feature of Claim 1 is disclosed at Col. 5, lines 60-65 of Dabney. (See page 7, paragraph 3 of the Office Action mailed September 9, 2009.) Applicants respectfully disagree with the Examiner's assertions and characterizations of Dabney. We submit that neither Col. 5, lines 60-65, nor any other portion of Dabney discloses or suggests “...receiving the **fictional story concept** for the story, the fictional story concept including an **indication** of one or more **editors** that are **selected to edit** the story **by** an **originator** of the fictional story concept...” as in Claim 1.

In contrast with Claim 1, Dabney is directed to handling news stories provided by news reporters and/or journalists for publication in a newspaper or other traditional media source; specifically, news story data such as photographs, video, audio, and text are captured and prepared for newspaper, radio, and television by human editors. (See col. 5, lines 63-65.) Assuming, *arguendo*, that news story data discloses receiving a story concept, as suggested by the Examiner, the news story concept, as evidenced by the new story data, relates to a non-fictional story concept. Apposite to non-fictional new story data of Dabney, Claim 1 recites the receipt of a fictional story concept. (See page 7, line 19 to page 8, line 1 for support of the non-fictional story concept.)

Moreover, such news story data of Dabney does not include an indication of one or more editors that are selected to edit the story by an originator of the story concept, as in Claim 1. We submit that the reporters of Dabney do not select the editor for a story and that the news story relates to a non-fictional story concept, most likely a current event. The other cited references fail to rectify this deficiency.

Hence, we submit that the combination of Dabney in view of Hanson in view of Fette in view of Lang and further in view of Plantz and further in view of Ludwig does not disclose or suggest the receipt of a fictional story concept for a story, the fictional story concept including an indication of one or more editors that are selected to edit the story by an originator of the story concept, as in Claim 1.

Furthermore, Claim 1 recites the following claim feature which is not taught by the combination of references referred to by the Examiner:

making the story **concept available** for online access to enable the **multiple collaborators** to submit **competing story content related to elements** in the fictional **story concept**;

accepting received **competing story content** associated with the fictional story concept from the multiple collaborators if the **received competing story content meets** the **predetermined criteria**

The disclosure of Dabney is expressly limited to news editor approval for completion of a news story and storage of such news story on content servers for newscasts and media distribution. The news story data is available for news media to incorporate the edited news story data into their broadcast and/or publication, distribution, as well as availability for internet news sources. (See col. 6, lines 3-12.) Furthermore, we submit that Dabney fails to disclose or suggest making a fictional story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept, much less accepting received competing story content associated with the story concept from the multiple collaborators if the competing story content meets the predetermined criteria, as in Claim 1. We submit that the various reporters that cover a story do not compete for which of their content will be selected for the various elements of the story concept, as in Claim 1; such coverage is generally pre-assigned.

Furthermore, Claim 1 recites "determining selected story content from the accepted competing story content submitted by each of the multiple collaborators that is approved for inclusion in the story based on votes received online through a wide area network connection from the one or more editors and at least one of the multiple collaborators," as in Claim 1.

We submit that Dabney teaches away from allowing the reporters that capture the news story content, such as the at least on multiple collaborators of Claim 1, to decide whether the story content is accepted for inclusion in the news story. We submit that the express limitation of accepting content for news stories, based solely on editor's decision, prohibits the Examiner from illustrating that Dabney discloses content approval based on votes received from one or more editors and at least one of the multiple collaborators, as in Claim 1.

Regarding Hanson, Hanson generally relates to communication networks and more particularly to a system and method for making choices among a group of participants connected to such networks using a dynamic distribution of data. As described by Hanson, implementations of the invention include one or more of the following choices including: a schedule, a poll, a survey, an election, RSVP, task allocation, wish lists, donation confirmation, approval, recruitment vote, group seating selection, game next move selection, sporting event pool, payment authorization, purchase selection, and purchase authorization. Hanson describes an applet that can be used to support making choices such as in a schedule, invitation, or poll among a group of participants connected to a network. (See Abstract.) Participants create an electronic form specifying the subject matter of a choice topic and a list of network addresses corresponding to other chosen participants. We note, however, that the group decision making described by Hanson is not relevant to on-line story collaboration regarding selection between competing story content.

Moreover, Claim 1 recites deleting the accepted content if the received votes have failed to approve the content. Applicants agree with the Examiner that Dabney and Hanson fail to teach this limitation. However, Applicants respectfully disagree that either Fette or Lang provide such teaching. In contrast with Claim 1, Fette relates to a

software programmable radio. Fette is directed to removal of unapproved records information based on user approval. We note, however, that such decision is not based on one or more editors and at least one collaborator (i.e., the provider of the content). Approval of records information within a software programmable radio is simply not relevant to on-line story collaboration. Lang teaches a filtering mechanism based on community standards, but such decision is not based on the one or more editors and at least one of the multiple collaborators (i.e., the providers of the content) as in Claim 1. Plantz does not rectify this deficiency.

Plantz is generally directed to a group publishing system (GPS) where administration of the project assembly process, assignment of projects to authors and editors and overall GPS maintenance by a GPS administrator is facilitated by an administration control center. (See col. 7, lines 6-10.) We submit that neither col. 10, lines 15-20 nor any other portion of Plantz discloses or suggests "receiving the story concept for the story including an indication of one or more editors for the story from an originator of the story concept." Plantz does disclose the ability of a new editor to sign into the system (see col. 2, lines 15-20 of Plantz), however, that is something completely different from receiving the story concept including an indication of one or more editors for the story from an originator of the story concept.

Regarding the Examiner's citing of Ludwig, Ludwig generally relates to a video collaboration system and method utilizing a control communications link and an unshielded twisted-pair wire network among a plurality of video sources and display devices (see Abstract). According to the Examiner, Ludwig teaches collaborators submitting competing story content related to elements in a story concept and selected story content from the competing story content submitted from each of the multiple collaborators, which according to the Examiner is disclosed by Ludwig at Col. 36, line 45 to Col. 37, line 30. The passages referred to by the Examiner, however, relate to the sharing of a graphical image between an expert and a field representative. As further described by Ludwig, the expert illustrates his advice by creating and sharing a new graphical image. This image may be annotated by the field representative.

We submit that neither Col. 36, line 45 - Col. 37, line 30, nor any other portion of Ludwig, discloses or suggests making a fictional story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the fictional story concept, much less accepting received competing story content associated with the story concept from the multiple collaborators if the received competing story content meets the predetermined criteria, as in Claim 1. We submit that the sharing of a graphic image of a client's portfolio holdings as well as the creating of a new graphical image based on expert advice, and annotation of such new graphical image, is something different from making a fictional story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept, as in Claim 1.

Furthermore, any new graphical image that is submitted by the expert is not competing story content but merely overrides anything provided by the field representative, and may be annotated by the field representative (see *supra* of Ludwig). Hence, the Examiner has failed to identify, and we are unable to discern, any portion of Ludwig that teaches or suggests making a fictional story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the story concept, much less accepting received competing story content associated with the fictional story concept from the multiple collaborators if the received competing story content meets the predetermined criteria, as in Claim 1. Moreover, Ludwig fails to disclose or suggest any notion of selecting story content, since any image provided by the expert will override the graphical images from the field representative.

We submit that no combination of Dabney in view of Hanson in view of Fette in view of Lang and Plantz and further in view of Ludwig could teach or suggest receipt of a fictional story concept for a story including an indication of one or more editors that are selected to edit the story by an originator of the fictional story concept, much less making the fictional story concept available for online access to enable multiple collaborators to submit competing story content related to elements in the fictional story concept if the received competing story content meets the predetermined criteria, as in Claim 1; nor does this combination teach or suggest the selection of accepted story

content that is approved for inclusion in the story based on votes received online through a wide area network connection from the one or more editors and at least one of the multiple collaborators, as in Claim 1.

For at least the above reasons, the Office Action fails to make clear a case of obviousness of Claim 1. The above argument is made in good faith, focusing on the explanation given at pages 7-10 of the Office action and comparing that to the claim language. It is not Applicants' intention to secure unduly broad claims but rather to find the right language that describes the invention in the broadest possible manner relative to the prior art.

As explained above, Applicants' claim language has meaning, which appears to have been ignored by the Examiner. According to the Examiner, on-line publishing includes publishing of a fictional story. Dabney, however, is expressly limited to news stories which are based on video footage and eyewitness accounts. It cannot be said that video footage and eyewitness news accounts relate to fictional story concepts, as in Claim 1. We submit that Dabney simply does not teach or suggest "...receiving the **fictional story concept** for the story, the fictional story concept including an **indication** of one or more **editors** that are **selected** to edit the story **by** an **originator** of the fictional story concept..." as in Claim 1.

Moreover, for at least the reasons indicated above, the Examiner is prohibited from modifying Dabney to disclose making the **fictional story concept** available for **online** access, since the preferred embodiment of Dabney teaches away from the substantial delay that would result from **multiple collaborators** submitting **competing story content related to elements** in the **fictional story concept**. Due to the goal of being the first among competing news outlets to provide news coverage for viewers, Dabney inherently limits news story coverage to a predetermined new reporters. As a result, it is improper for the Examiner to modify Dabney to disclose making the **fictional story concept** available for **online** access to enable the **multiple collaborators** to submit **competing story content related to elements** in the **fictional story concept**, since Dabney teaches away from making the **fictional story concept** available for **online** access to enable the **multiple collaborators** to submit **competing story**

content related to elements in the **fictional story concept**. In re Gordon, *supra*. Hence, no combination of Dabney, Hanson, Fette, further in view of Lang, Plantz, and Ludwig could teach or suggest “making the **fictional story concept** available for **online** access to enable the **multiple collaborators** to submit **competing story content related to elements** in the **fictional story concept**,” as in Claim 1.

Therefore, we respectfully submit that the Examiner fails to establish a *prima facie* case of obviousness of Claim 1, since all claim limitations of Claim 1 are neither taught nor suggested by the prior art combination of Dabney, Hanson, Fette, further in view of Lang, Plantz, and Ludwig. *Id.* Accordingly, Applicants respectfully submit that the Examiner fails to establish a *prima facie* case of obviousness since the teachings of the prior art references of Dabney, Hanson, Fette, further in view of Lang, Plantz, and Ludwig would not have suggested the claimed subject matter to one of ordinary skill in the art. (In re Rijckaert, *supra*.)

Therefore, a *prima facie* case of obviousness of the claims is not established and the rejection of Claims 1, 3-5, 7-10, 22-24, and 28 is erroneous and should be overturned. *Id.*

C. Rejection of Claims 14-18 Under 35 U.S.C. §103

Claims 14-18 are rejected under 35 U.S.C. 103(a) unpatentable over Dabney in view of Hanson, further in view of Fette, further in view of Lang, further in view of Ludwig.

The Examiner has made the same errors as described previously with respect to rejected Claim 1. In addition, the Examiner has failed to show that the prior art combination of Dabney in view of Hanson, further in view of Fette, further in view of Lang, further in view of Ludwig teaches or suggests all claim features of Claim 14.

Claim 14 recites:

A computer-readable storage medium having computer-executable instructions to cause a server computer to perform a method comprising:

receiving a **fictional concept for a story**, the fictional story concept **including** an **indication** of one or more **editors** that are selected to edit the story **by an originator** of the **fictional story concept**;

determining whether the **fictional story concept** includes content that meets a predetermined criteria set by a **party separate from** multiple **collaborators** being on-line users supplying the content associated with the fictional concept of the story and deleting the **fictional story concept** if the content of the fictional story concept fails to meet the predetermined criteria;

if the content of the **fictional story concept** is acceptable, making the fictional story concept available for online access to enable the multiple collaborators to submit the **competing story content** related to an **element** in the **fictional story concept** from two of the multiple collaborators coupled to the server computer;

accepting the received competing story content associated with the fictional story concept from the multiple collaborators if the received competing story content meets the predetermined criteria;

receiving **votes online** through a wide area network connection from the one or more **editors**, at least one of the multiple **collaborators**, and the **originator** of the fictional story concept to **select** between the **accepted competing story content**;

including the selected story content in the story if the received votes indicate that the content is approved; and deleting the accepted competing story content if the received votes fail to indicate that the competing story content is approved. (Emphasis added.)

Regarding Claim 14, Claim 14 recites features similar to those highlighted above with regard to Claim 1. Namely, Claim 14 recites making a fictional story concept available for online access to enable the multiple collaborators to submit competing story content and accepting received competing story content associated with the fictional story concept from the multiple collaborators if the received competing story content meets the predetermined criteria, as in Claim 1. Apposite to non-fictional new story data of Dabney, Claim 14 recites the receipt of a fictional story concept. (See page 7, line 19 to page 8, line 1 for support of the non-fictional story concept.) Furthermore, Claim 14 recites including selected content that is accepted between competing story content according to votes received online from the one or more

editors, at least one of the multiple collaborators, and the originator of the story concept. This feature of Claim 14 is not disclosed by the combination of Dabney in view of Hanson in view of Fette in view of Lang in view of Plantz in view of Ludwig and further in view of Mullins.

Moreover, for at least the reasons indicated above, the Examiner is prohibited from modifying Dabney to disclose making the **fictional story concept** available for **online** access, since the preferred embodiment of Dabney teaches away from enabling **multiple collaborators** to submit **competing story content related to elements** in the **fictional story concept**. Due to the goal of being the first among competing news outlets to provide news coverage for viewers, Dabney inherently limits news story coverage by a predetermined new reporters. As a result, it is improper for the Examiner to modify Dabney to disclose making the **fictional story concept** available for **online** access, since Dabney teaches away from the substantial delay that would result from **multiple collaborators** submitting **competing story content related to elements** in the **fictional story concept**. *In re Gordon*, *supra*. Hence, no combination of Dabney, Hanson, Fette, further in view of Lang, and Ludwig could teach or suggest “making the **fictional story concept** available for **online** access to enable the **multiple collaborators** to submit **competing story content related to elements** in the **fictional story concept**,” as in Claim 1.

Therefore, we respectfully submit that the Examiner fails to establish a *prima facie* case of obviousness of Claim 14, since all claim limitations of Claim 1 are neither taught nor suggested by the prior art combination of Dabney, Hanson, Fette, further in view of Lang, and Ludwig. *Id.* Accordingly, Applicants respectfully submit that the Examiner fails to establish a *prima facie* case of obviousness since the teachings of the prior art references of Dabney, Hanson, Fette, further in view of Lang, and Ludwig would not have suggested the claimed subject matter to one of ordinary skill in the art. (*In re Rijckaert*, *supra*.)

Therefore, a *prima facie* case of obviousness of the claims is not established and the rejection of Claims 14-18 is erroneous and should be overturned. *Id.*

D. Rejection of Claims 11-13, 19-21, 27 and 30 Under 35 U.S.C. §103

Claims 19-21 rejected under 35 U.S.C. §103(a) unpatentable over Dabney in view of Hanson in view of Fette, further in view of Lang and Plantz, further in view of Ludwig, further in view of Mullins. Claims 11-13, 27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dabney in view of Hanson in view of Fette, further in view of Lang and Plantz, further in view of Ludwig, and further in view of Mullins.

The Examiner has made the same errors as described previously with respect to rejected Claim 1. In addition, the Examiner has failed to show that the prior art combination of Dabney in view of Hanson, further in view of Fette, further in view of Lang, further in view of Ludwig teaches or suggests all claim features of Claim 14.

Regarding Mullins, Mullins relates to timed group writing games with random characterizations. Mullins describes a time limited game for a group of player-participants to share in a composition of several short stories and includes the means to achieve such composition. In Mullins, five sets of cards are provided to determine a character profile for each player's main character. A spinner is provided to determine the genre category in which each player is required to compose. At the end of the time limit, story compositions are passed to the player at each player's left and writing continues for another set time limit. The same process is repeated until all participants have contributed to every other participant's story once. Story endings and story titles are added. Stories are read and awards are given for different categories of compositions such that the player with the most awards is declared the winner. (See Abstract.)

The Examiner's citing of Mullins fails to rectify the deficiency of Dabney, Hanson, Fette, Lang, Plantz, and Ludwig to teach or suggest "...receiving the fictional story concept for the story, the fictional story concept including an indication of one or more editors that are selected to edit the story by an originator of the fictional story concept..." as in Claim 1, 14, 22 and 28. Claims 11-13 and 19 depend from Claims 1 and 14, respectively, and are therefore patentable over the cited art for reasons similar to those given above with regard to Claims 1 and 14. Similarly, Claims 27 and 30,

which depend from independent claims 22 and 28, respectively, are also novel over the cited art for similar reasons.

Therefore, we respectfully submit that the Examiner fails to establish a *prima facie* case of obviousness of Claims 11-13, 19-21, 27, and 30, since all claim limitations of Claims 11-13, 19-21, 27, and 30 are neither taught nor suggested by the prior art combination of Dabney, Hanson, Fette, further in view of Lang, Plantz, Ludwig and Mullins. Id. Accordingly, Applicants respectfully submit that the Examiner fails to establish a *prima facie* case of obviousness since the teachings of the prior art references of Dabney, Hanson, Fette, further in view of Lang, Plantz, Ludwig and Mullins would not have suggested the claimed subject matter to one of ordinary skill in the art. (In re Rijckaert, *supra*.)

Therefore, a *prima facie* case of obviousness of the claims is not established and the rejection of Claims 11-13, 19-21, 27 and 30 is erroneous and should be overturned. Id.

Based on the foregoing, Applicants request that the Board overturn the rejection of all pending claims and hold that all claims currently under review are allowable.

Respectfully submitted,

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Dated: March 4, 2010

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web to the United States Patent and Trademark Office on March 4, 2010.


Si Vuong

VIII. CLAIMS APPENDIX

The claims involved in this Appeal are as follows:

1. (Previously Presented) A computerized method for creating a story by multiple collaborators being on-line users supplying content associated with a fictional story concept comprising:

receiving the fictional story concept for the story, the fictional story concept including an indication of one or more editors that are selected to edit the story by an originator of the fictional story concept;

determining whether the fictional story concept includes content that meets a predetermined criteria set by a party separate from the multiple collaborators and deleting the fictional story concept if the concept fails to meet the predetermined criteria;

making the fictional story concept available for online access to enable the multiple collaborators to submit competing story content related to elements in the fictional story concept;

accepting the received competing story content associated with the fictional story concept from the multiple collaborators if the received competing story content meets the predetermined criteria;

determining selected story content from the accepted competing story content submitted from each of the multiple collaborators that is approved for inclusion in the story based on votes received online through a wide area network connection from the one or more editors and at least one of the multiple collaborators;

creating the story from the selected story content that is approved; and

deleting the accepted competing story content if the received votes have failed to approve the content.

2. (Cancelled)

3. (Original) The computerized method of claim 1 further comprising:

determining if the content meets pre-determined criteria; and

deleting the content if it does not meet the pre-determined criteria.

4. (Original) The computerized method of claim 1 further comprising:
publishing the story online for public viewing.
5. (Original) The computerized method of claim 1 further comprising:
publishing the story online for private viewing.
6. (Cancelled)
7. (Previously Presented) The computerized method of claim 1 further comprising:
notifying an editor when the content is received and posted for review by the
editor.
8. (Currently Amended) The computerized method of claim 1 wherein after
receiving the story concept is available, further comprises:
notifying the one or more editors upon a receipt of the fictional story concept.
9. (Previously Presented) The computerized method of claim 1, wherein the
content is deleted automatically without user intervention.
10. (Original) The computerized method of claim 1, wherein the content received
from one of the multiple collaborators is of a different type than content received from
another one of the multiple collaborators.
11. (Original) The computerized method of claim 1 further comprising:
determining a reward for one or more of the multiple collaborators.
12. (Previously Presented) The computerized method of claim 11, wherein
determining a reward comprises:
requesting a vote via online from each viewer of the story; and
counting the votes.

13. (Original) The computerized method of claim 11, wherein the reward is based on a category for the story.

14. (Previously Presented) A computer-readable storage medium having computer-executable instructions to cause a server computer to perform a method comprising:

receiving a fictional concept for a story, the fictional story concept including an indication of one or more editors that are selected to edit the story by an originator of the fictional story concept;

determining whether the fictional story concept includes content that meets a predetermined criteria set by a party separate from multiple collaborators being on-line users supplying the content associated with the fictional concept of the story and deleting the fictional story concept if the content of the fictional story concept fails to meet the predetermined criteria;

if the content of the fictional story concept is acceptable, making the fictional story concept available for online access to enable the multiple collaborators to submit the competing story content related to an element in the fictional story concept from two of the multiple collaborators coupled to the server computer;

accepting the received competing story content associated with the fictional story concept from the multiple collaborators if the received competing story content meets the predetermined criteria;

receiving votes online through a wide area network connection from the one or more editors, at least one of the multiple collaborators, and the originator of the fictional story concept to select between the accepted competing story content;

including the selected story content in the story if the received votes indicate that the content is approved; and

deleting the accepted competing story content if the received votes fail to indicate that the competing story content is approved.

15. (Previously Presented) The computer-readable storage medium of claim 14 having further computer-executable instructions comprising:

publishing the story online when all content for the concept is approved.

16. (Previously Presented) The computer-readable storage medium of claim 14 having further computer-executable instructions comprising:

deleting the content if it does not meet pre-determined standards.

17. (Previously Presented) The computer-readable storage medium of claim 14 having further computer-executable instructions comprising:

receiving the concept for the story from the originator.

18. (Previously Presented) The computer-readable storage medium of claim 17 having further computer-executable instructions comprising:

making the concept available if it meets pre-determined standards.

19. (Previously Presented) The computer-readable storage medium of claim 14 having further computer-executable instructions comprising:

determining a reward for one or more of the originator and the plurality of collaborators.

20. (Previously Presented) The computer-readable storage medium of claim 19, wherein the reward is based on online votes from viewers of the story.

21. (Previously Presented) The computer-readable storage medium of claim 19, wherein the reward is based on a category for the story.

22. (Previously Presented) A computerized system comprising:

a processor;

a memory coupled to the processor through a system bus;

a computer-readable medium coupled to the processor through the system bus;

and

an online collaborative story process executed from the computer-readable medium by the processor to cause the processor to receive a fictional concept for an online story, the fictional story concept including an indication of one or more editors

that are selected to edit the story by an originator of the fictional story concept and to post the fictional story concept online if the concept meets a predetermined criteria set by a site administrator and to delete the fictional story concept if the fictional story concept fails to meet the predetermined criteria, wherein the concept defines content for the story, to receive the content for the story from multiple collaborators being online users supplying competing story content associated with elements in the fictional story concept, to accept the received competing story content associated with the fictional story concept from the multiple collaborators if the received competing story content meets the predetermined criteria, to receive votes online through a wide area network connection from the one or more editors and at least one of the multiple collaborators to select between the accepted competing story content, to include the selected story content in the story if the received votes indicate that the selected story content is approved and to delete the accepted competing story content if the received votes do not approve inclusion of the accepted competing story content.

23. (Original) The computerized system of claim 22, wherein the online collaborative story process further causes the processor to publish the story online.

24. (Original) The computerized system of claim 22, wherein the online collaborative story process further causes the processor to delete the content when the content does not satisfy pre-determined criteria.

25-26. (Cancelled)

27. (Previously Presented) The computerized system of claim 22, wherein the online collaborative story process further causes the processor to request online votes from viewers of the story and to determine a reward based on votes received in response to the request.

28. (Previously Presented) A networked server system comprising:
means for posting a fictional concept for a story in a story concept area for access by multiple collaborators being on-line users supplying the content associated

with the fictional story concept, the fictional story concept including an indication of one or more editors that are selected to edit the story by an originator of the fictional story concept;

means for reviewing the fictional story concept prior to posting the concept in the story concept area and deleting the fictional story concept if the concept fails to meet a predetermined criteria set by a site administrator;

means for posting competing story content associated with elements in the fictional story concept in a working content area, the competing story content being received from the multiple collaborators;

means for determining selected story content from the accepted competing story content submitted from each of the multiple collaborators that is approved for inclusion in the story;

means for voting online through a wide area network connection by the one or more editors and at least one of the plurality of collaborators on the content in the online working content area, wherein votes selected between the competing story content that is approved for publishing;

means for publishing the selected story content approved by the means for voting in a published story area to create the story; and

means for deleting the competing story content if not approved by the means for voting.

29. (Cancelled)

30. (Previously Presented) The networked server system of claim 28, further comprising:

means for collecting votes from viewers of the story; and

means for awarding one or more of the plurality of collaborators for the story based on the votes collected by the means for collecting.

31-34. (Cancelled)

IX. EVIDENCE APPENDIX

No evidence is submitted with this appeal.

X. RELATED PROCEEDINGS APPENDIX

No related proceedings exist.